

13281 U.S. PTO  
033104

Attorney Docket No. 2003P04841US-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
David W. BALSDON ) Group Art Unit: Not Yet Assigned  
Application No.: Unassigned ) Examiner: Not Yet Assigned  
Filed: 31 March 2004 )

16834 U.S. PTO  
10/812874  
033104

For: **SYSTEM AND METHOD INCLUDING A FLUID  
ACTUATED FUEL TANK ISOLATION VALVE**

**MAIL STOP PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL FOR A NEWLY EXECUTED  
ORIGINAL APPLICATION UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: David W. BALSDON

For: **SYSTEM AND METHOD INCLUDING A FLUID  
ACTUATED FUEL TANK ISOLATION VALVE**

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.
2. The papers enclosed to obtain a filing date are as follows:

<u>13</u>	Pages of Specification including:
<u>0</u>	Title Page
<u>4</u>	Pages of Claims
<u>1</u>	Page of Abstract
<u>2</u>	Sheets of drawings containing <u>2</u> Figures
<input type="checkbox"/>	The enclosed drawings are photographs, and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)

3. Combined Declaration and Power of Attorney

☒ Enclosed and is executed by all inventors  
☐ Not Enclosed.  
This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time  
set for filing the Declaration and paying the filing fees.

4. Language

- ☒ English  
☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

- ☐ An assignment of the invention to Siemens VDO Automotive, Incorporated and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.  
☒ An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application is claimed:

Country	Application No.	Filed

Certified copy: ☐ is attached. ☐ will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☒ Priority of the following provisional application(s) is claimed:

Application No.	Filed
60/459,351	1 April 2003

A. Relate Back - 35 U.S.C. §119(e)

- ☐ Amend the specification by inserting before the first line the sentence: "This application claims priority of copending provisional application(s) No. \_\_\_\_\_ filed on \_\_\_\_\_ which is hereby incorporated by reference."

8. Small entity status

- ☐ Applicant(s) hereby assert(s) small entity status under 37 C.F.R. § 1.27.

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9. Fee Calculation (37 C.F.R. §1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$770.00 Design \$340.00
			BASIC FEE	770.00
Total Claims (37 C.F.R. §1.16(c))	20 - 20 =	0	18.00	\$0.00
Independent Claims (37 C.F.R. §1.16(b))	3 - 3 =	0	86.00	\$0.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			270.00	\$0.00
SUB-TOTAL =				\$770.00
Reduction by 1/2 for filing by a small entity				
TOTAL FILING FEE =				\$770.00

10. Fee Payment

- ☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**  
This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.
- ☒ The Commissioner is hereby authorization to charge Deposit Account No. 50-0310 in the amount of **\$770.00**.

11. ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

12. Additional papers enclosed:

- ☐ Preliminary Amendment
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449, 17 documents included
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

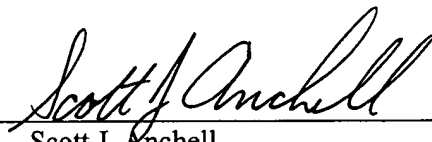
**Please accord this application an application number and filing date.**

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: 31 March 2004

By: \_\_\_\_\_



Scott J. Anchell  
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